

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Sep 30, 2024

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: James Phillip Monaghan, III Case Number: 0980 2:19CR00206-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 3, 2021

Original Offense: Sexual Abuse in Indian Country, 18 U.S.C. §§ 2242(2), 2246(2)(A) and 1153

Original Sentence: Prison - 40 months; Type of Supervision: Supervised Release
TSR - 120 months

Revocation Sentence: Prison - 1 month;
(July 27, 2023) TSR - 120 months

Asst. U.S. Attorney: Earl Allan Hicks Date Supervision Commenced: August 17, 2023

Defense Attorney: Andrea K. George Date Supervision Expires: August 16, 2033

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 03/27/2024, 04/10/2024 and 04/23/2024.

On August 17, 2023, Mr. James Phillip Monaghan, III, signed his conditions relative to case number 2:19CR00206-WFN-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
11	<p>Special Condition #6: You must actively participate and successfully complete an approved state-certified sex offender treatment program. You must follow all lifestyle restrictions and treatment requirements of the program. You must participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You must allow reciprocal release of information between the supervising officer and the treatment provider. You must pay for treatment and testing according to your ability.</p> <p>Supporting Evidence: It is alleged that Mr. Monaghan violated the terms and conditions of his supervised release by failing to follow lifestyle restrictions and treatment requirements by viewing pornography on multiple occasions, with the last time being on or about September 21, 2024.</p>

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The undersigned has spoken with Mr. Monaghan's sex offender treatment therapist, in which she confirmed he signed a treatment contract which prohibits the viewing of pornography.

On July 26, 2024, Mr. Monaghan commenced residing at the residential re-entry center (RRC) under public law. Mr. Monaghan signed an agreement of RRC rules and requirements, including a cell phone policy. On September 22, 2024, Mr. Monaghan's cell phone was inspected and it was determined that he had searched and/or viewed various pornography web sites. RRC staff confiscated Mr. Monaghan's cell phone for 2 weeks given this was his first violation.

On September 25, 2024, the undersigned received confirmation from Mr. Monaghan's treatment provider that he relayed and/or admitted he had recently viewed pornography. On September 27, 2024, Mr. Monaghan reported to the U.S. Probation Office as directed and admitted to the undersigned that he searched for and viewed pornography as alleged by RRC staff.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 30, 2024

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

September 30, 2024

Date